



DOCKET NO: T2001-7002.10

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: William S. Barney
Serial No: 10/797,716
Confirmation No: 4115
Filed: March 10, 2004
For: SYSTEM AND METHOD FOR BIOAEROSOL
DISCRIMINATION BY TIME-RESOLVED
FLUORESCENCE

Examiner: Not Yet Assigned
Art Unit: 2877

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 15 day of February, 2005.

Jeanne W. Chub

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing date of a first Office Action on the merits in the above-identified case.

No fee or certification is required.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

The applicant would like to bring to the Examiner's attention the following co-pending applications that may contain subject matter related to this application:

<u>Serial No.</u>	<u>Filing Date</u>	<u>Inventor(s)</u>
10/991,132	November 17, 2004	William S. Barney et al.

PART III: Explanation of Non-English Language References and Remarks Concerning Other Information Cited

The following is a concise explanation of the relevance of each non-English language reference listed on the attached form PTO-1449 (modified):

EP 0085414 appears to be directed to marking means and a method of manufacture and their use in marking explosives. An English language Abstract is provided.

EP 0118667 appears to be directed to a marking composition, a process for preparing the same, and its use for marking fine disperse systems. An English language Abstract is provided.

PART IV: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

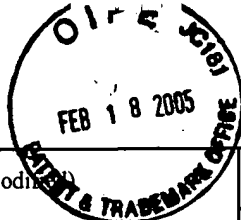
An early and favorable action is hereby requested.

Respectfully submitted,
William S. Barney, Applicant

By: 

Elias Domingo, Reg. No. 52,827
Peter C. Lando, Reg. No. 34,654
LOWRIE, LANDO & ANASTASI, LLP
Riverfront Office Park
One Main Street
Cambridge, Massachusetts 02142
Tel. (617) 395-7000

Docket No. T2001-7002.10
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FORM PTO-1449/A and B (Modified)

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

APPLICATION NO.: 10/797,716

ATTY. DOCKET NO.: T2001-7002.10

FILING DATE: March 10, 2004

CONFIRMATION NO.: 4115

APPLICANT: William S. Barney

GROUP ART UNIT: 2877

EXAMINER: Not yet assigned

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U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
		* US 2002/0021003	A1	McGrew	02-21-2002
		* US 2002/0025490	A1	Shchegolikhin et al.	02-28-2002
		* US 2002/0028434	A1	Goix et al.	03-07-2002
		* US 2002/0129523	A1	Hunt	09-19-2002
		* US 2002/0174794	A1	Lowden et al.	11-28-2002
		* US 2003/0021998	A1	Hubbard et al.	01-30-2003
		* US 2003/0036201	A1	Nelson et al.	02-20-2003
		* US 2003/0109049	A1	Miragliotta et al.	06-12-2003
		* US 2003/0177842	A1	Swartzel et al.	09-25-2003
		* US 2003/0193338	A1	Krasnobaev et al.	10-16-2003
		* US 2004/0005635	A1	Goix et al.	01-08-2004
		* US 2004/0026684	A1	Empedocles	02-12-2004
		* US 2004/0058058	A1	Shchegolikhin et al.	03-25-2004
		* US 2004/0067360	A1	Steenblik et al.	04-08-2004
		* US 2004/0098891	A1	Hunt et al.	05-27-2004
		* US 2004/0155191	A1	Stedman et al.	08-12-2004
		* Re. 29,334		Ryan et al.	08-02-1977
		* 3,716,426		Becker	02-13-1973
		* 3,717,097		Wronka et al.	02-20-1973
		* 3,756,720		Skala	09-04-1973
		* 3,760,735		Schmitt	09-25-1973
		* 3,772,200		Livesay	11-13-1973
		* 3,897,284		Livesay	07-29-1975
		* 3,961,106		Heytmeijer et al.	06-01-1976
		* 3,962,412		Wolfangel	06-08-1976
		* 3,967,990		Ryan et al.	07-06-1976
		* 3,991,626		Shair	11-16-1976
		* 3,993,838		Heytmeijer et al.	11-23-1976
		* 4,010,250		Parikh et al.	03-01-1977
		* 4,013,490		Ryan et al.	03-22-1977
		* 4,018,635		Ryan et al.	04-19-1977
		* 4,019,053		Levine	04-19-1977
		* 4,053,433		Lee	10-11-1977
		* 4,057,616		Wolfangel	11-08-1977
		* 4,058,732		Wieder	11-15-1977
		* 4,063,510		Ishii et al.	12-20-1977
		* 4,131,064		Ryan et al.	12-26-1978

FORM PTO-1449/A and B (Modified) INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICATION NO.: 10/797,716		ATTY. DOCKET NO.: T2001-7002.10	
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				GROUP ART UNIT: 2877		EXAMINER: Not yet assigned	
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U.S. PATENT DOCUMENTS

		* 4,197,104	Krystyniak et al.	04-08-1980
		* 4,198,307	Berkowitz et al.	04-15-1980
		* 4,251,726	Alvarez	02-17-1981
		* 4,256,038	Dietz et al.	03-17-1981
		* 4,329,393	LaPerre et al.	05-11-1982
		* 4,359,399	Boyars	11-16-1982
		* 4,363,678	Nishimura et al.	12-14-1982
		* 4,363,965	Soberman et al.	12-14-1982
		* 4,390,452	Stevens	06-28-1983
		* 4,399,226	Danielson et al.	08-16-1983
		* 4,441,943	Kydd	04-10-1984
		* 4,455,179	Yamaguchi et al.	06-19-1984
		* 4,510,929	Bordoni et al.	04-16-1985
		* 4,537,645	Yamaguchi et al.	08-27-1985
		* 4,598,704	Bordoni et al.	07-08-1986
		* 4,640,035	Kind et al.	02-03-1987
		* 4,652,395	Marcina et al.	03-24-1987
		* 4,654,165	Eisenberg	03-31-1987
		* 4,676,642	French	06-30-1987
		* 4,703,753	Bordoni et al.	11-03-1987
		* 4,741,331	Wunderlich	05-03-1988
		* 4,744,919	O'Holleran	05-17-1988
		* 4,750,837	Gifford et al.	06-14-1988
		* 5,024,753	Chriswell et al.	06-18-1991
		* 5,110,204	Miles et al.	05-05-1992
		* 5,148,173	Rouse et al.	09-15-1992
		* 5,168,212	Byerley, III et al.	12-01-1992
		* 5,216,086	Fong et al.	06-01-1993
		* 5,221,927	Palmer	06-22-1993
		* 5,245,038	Hale et al.	09-14-1993
		* 5,252,740	Hale et al.	10-12-1993
		* 5,294,796	Fee	03-15-1994
		* 5,298,751	Fee et al.	03-29-1994
		* 5,397,819	Krutak et al.	03-14-1995
		* 5,409,839	Balestrieri et al.	04-25-1995
		* 5,418,855	Liang et al.	05-23-1995
		* 5,461,136	Krutak et al.	10-24-1995
		* 5,526,676	Solheim et al.	06-18-1996
		* 5,532,598	Clark, Jr. et al.	07-02-1996

FORM PTO-1449/A and B (Modified) INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICATION NO.: 10/797,716		ATTY. DOCKET NO.: T2001-7002.10	
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U.S. PATENT DOCUMENTS

		* 5,639,984		Nielson	06-17-1997
		* 5,648,914		Bauer et al.	07-15-1997
		* 5,659,147		Rouse et al.	08-19-1997
		* 5,677,187		Anderson, II et al.	10-14-1997
		* 5,682,038		Hoffman	10-28-1997
		* 5,703,229		Krutak et al.	12-30-1997
		* 5,714,387		Fowee et al.	02-03-1998
		* 5,760,394		Welle	06-02-1998
		* 5,767,519		Gelbwachs	06-16-1998
		* 5,786,219		Zhang et al.	07-28-1998
		* 5,849,590		Anderson, II et al.	12-15-1998
		* 5,999,652		Bushman	12-07-1999
		* 6,007,744		Nacker	12-28-1999
		* 6,025,200		Kaish et al.	02-15-2000
		* 6,098,018		Welsh et al.	08-01-2000
		* 6,200,628	B1	Rozumek et al.	03-13-2001
		* 6,266,428	B1	Flanigan	07-24-2001
		* 6,380,547	B1	Gonzalez et al.	04-30-2002
		* 6,399,390	B1	Kantzas et al.	06-04-2002
		* 6,432,715	B1	Nelson et al.	08-13-2002
		* 6,455,851	B1	Lord et al.	09-24-2002
		* 6,490,530	B1	Wyatt	12-03-2002
		* 6,514,617	B1	Hubbard et al.	02-04-2003
		* 6,528,318	B1	Miragliotta et al.	03-04-2003
		* 6,610,351	B2	Shchegolikhin et al.	08-26-2003
		* 6,627,113	B2	Kijima et al.	09-30-2003
		* 6,647,649	B2	Hunt et al.	11-18-2003
		* 6,680,778	B2	Hinnrichs et al.	01-20-2004
		* 6,692,031	B2	McGrew	02-17-2004
		* 6,710,871	B1	Goix	03-23-2004
		* 6,780,301	B1	Natan et al.	08-24-2004

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FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			
		EP	0 085 414	A1	Plast-Labor S.A.	01-28-1983	Abstract Only
		EP	0 118 667	A1	COATHYLENE S.A.	01-14-1984	Abstract Only
		EP	0 927 750	B1	SICPA HOLDING S.A.	04-21-2004	
		WO	99/34315	A2	SICPA Holding S.A.	07-08-1999	
		WO	00/71966	A2	Richard P. Welle	11-30-2000	
		WO	00/75895	A1	RSO Corporation	12-14-2000	
		WO	01/37207	A1	Spectra Science Corporation	05-25-2001	

OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)	
		S.W. ALLISON et al., "Phosphor Thermometry Techniques for the Realization of Thermal Standards," http://www.isa.org/journals/intech/ISA-02-P218.pdf ; publication date unknown.		

EXAMINER	DATE CONSIDERED
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#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*a copy of this reference is not provided because a copy of this reference need not be provided as the reference is a published U.S. Patent or U.S. Patent application and the present application was filed after June 30, 2003.